

EDB:BGK
F. # 2003V02812

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

MARK GAUNTLETT,

Defendant.

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PRELIMINARY ORDER OF
FORFEITURE

03-CR-1368 (ARR)

WHEREAS, on December 3, 2004, the defendant, MARK GAUNTLETT, waived indictment and plead guilty to a Superseding Information, charging a violation of 18 U.S.C. § 1956(h), to wit, conspiracy to knowingly transport, transmit and transfer funds from a place in the United States to and through a place outside the United States, knowing that the funds involved in the transportation, transmission and transfer represented the proceeds of some form of unlawful activity, to wit, narcotics trafficking, and knowing that such transportation, transmission and transfer was designed in whole and in part to conceal and disguise the nature, the location, the source, the ownership and the control of the proceeds of said unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(2)(B)(i); and

WHEREAS, in the Forfeiture Allegation of the Superseding Information in the above-captioned case the United States sought forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(c) and Title 28, United States Code, Section 2461(c)

which require any person convicted of such offense to forfeit any property constituting or derived from proceeds obtained directly or indirectly as a result of such offense, including but not limited to, a sum of money equal to \$5,000.00 in United States currency; and

WHEREAS, in the Superseding Information, the government sought forfeiture, pursuant to Title 18, United States Code, Section 982; and

WHEREAS, in his cooperation agreement, the defendant agreed and consented to the entry of a Forfeiture Money Judgment against him in the amount of \$5,000.00, as property constituting, or derived from, proceeds obtained, directly or indirectly, and /or property used to commit, or to facilitate the commission of the offense to which he pled guilty (the "Forfeiture Money Judgment").

WHEREFORE, it is hereby ORDERED, ADJUDGED AND DECREED THAT:

1. Pursuant to Title 18, United States Code, Section 982, a Forfeiture Money Judgment in the sum of \$5,000.00 in United States currency be and hereby is entered against the defendant.

2. Pursuant to 18 U.S.C. § 982, the defendant shall forfeit to the United States all of his right, title and interest in the Forfeiture Money Judgment.

3. Upon entry of this Order, the United States Attorney General, or his designee, including but not limited to the Bureau of Customs and Border Protection, Department of Homeland Security, is authorized to seize and dispose of the funds propounded by the defendant in order to satisfy the Forfeiture Money Judgment.

4. Pursuant to Fed. R. Crim. P. 32.2(b)(3), this Preliminary Order of Forfeiture shall become final as to the defendant at the time of sentencing and shall be made part of the sentence and judgment.

5. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

6. The Clerk of the Court shall forward four (4) certified copies of this Order to Assistant U.S. Attorney Brendan G. King, U.S. Attorney's Office, Eastern District of New York, One Pierrepont Plaza, 16th Floor, Brooklyn, New York 11201.

Dated: Brooklyn, New York
April 13, 2006



HONORABLE ALLYNE R. ROSS
UNITED STATES DISTRICT JUDGE